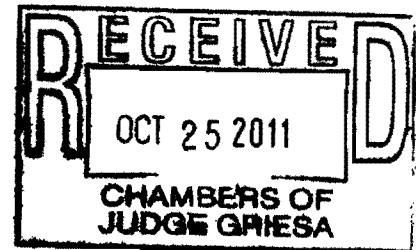


U.S. Department of Justice

United States Attorney
Southern District of New York86 Chambers Street
New York, New York 10007**MEMO ENDORSED**

October 24, 2011

BY HANDThe Honorable Thomas P. Griesa
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007Re: Yorkshire Towers Company L.P., et ano. v. U.S. Dep't
of Transportation, et al., 11 Civ. 1058 (TPG)

Dear Judge Griesa:

This Office represents Defendants United States Department of Transportation ("DOT"), Ray LaHood, in his capacity as Secretary of the DOT, the Federal Transit Administration ("FTA"), and Peter M. Rogoff, in his capacity as Administrator of the FTA (collectively, the "FTA Defendants") in the above-referenced action brought under the judicial review provisions of the Administrative Procedure Act, 5 U.S.C. §§ 701-706, the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.*, New York State's State Environmental Quality Review Act, N.Y. Environmental Conservation Law, §§ 8-0101 *et seq.*, and Section 51 of New York State's General Municipal Law. The remaining defendants are the Metropolitan Transportation Authority, Jay H. Walder, in his capacity as its chairman, the New York City Transit Authority, Thomas F. Prendergast, Jr., in his capacity as its president, the Metropolitan Transportation Authority Capital Construction Company, and Michael Horodniceanu, in his capacity as its president (collectively, the "MTA Defendants").

I respectfully write, on behalf of the FTA and MTA Defendants, to request a ten-page increase in the page limit for the MTA Defendants' reply brief on their pending motion to dismiss the complaint – in which the FTA Defendants have joined – from 10 pages to 20 pages. The additional pages are necessary to address all of the factual and legal issues raised by plaintiffs' opposition papers. This is the first request for an enlargement of the page limit for defendants' reply papers.

Plaintiffs' counsel consents to the requested relief and asked us to also request, on plaintiffs' behalf, a ten-page increase in the page limit for plaintiffs' reply papers on their pending motion for injunctive relief. Defendants consent to that request.

Approved -
Thomas P. Griesa
USDC 10/26/11

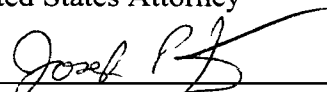
MM

Thank you for Your Honor's consideration of the parties' requests.

Respectfully,

PREET BHARARA
United States Attorney

By:



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cc: Joseph J. Ceccarelli, Esq., counsel for plaintiffs (by email)
Jeffrey E. Glen, Esq., counsel for plaintiffs (by email)
Philip E. Karmel, Esq., counsel for MTA Defendants (by email)